IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 2095 OF 2005.

Shyamala Dhananjay Vibhakar & anr. ... Appellant.
Versus.
Shobhana Madhusudan Gandhi & anr. ... Respondents.

Ms.Preeti Shah for the Appellants.
Shri Abhyankar, Sr.Advocate for Shri S.S.Joshi for the Respondents.

CORAM : ABHAY S.OKA, J.

DATED : 3rd MARCH, 2006.

P.C.:

1. Heard the Advocates appearing for the parties.

2. This is an appeal preferred by the original Plaintiffs challenging the Judgment and Decree dated 19th July 2002 passed by the learned trial Judge. Even according to the Appellants/Plaintiffs, the suit is under section 6 of the Specific Relief Act, 1963. Against a decree passed in a suit under section 6 of the said Act of 1963, appeal is not maintainable.

3. Hence the Appeal is dismissed as not maintainable. The dismissal of the Appeal will not preclude the Appellants from adopting appropriate proceedings for challenging the impugned Judgment and Decree.

Judge.